

The Honorable Gene Green  
2470 Rayburn  
Washington, DC 20515

Dear Representative Green,

Thank you for your letter dated February 17, 2016, regarding the San Jacinto River Waste Pits Superfund Site ("Site"), in which you recommended that the Environmental Protection Agency ("EPA") select Alternative 6N from the Draft Feasibility Study for the Site. Alternative 6N includes full removal of the contaminated material above the cleanup level. The EPA shares your concerns regarding the public health threat posed by the Site and will consider the issues you have raised as it evaluates the alternatives and makes the remedy selection decision for the Site.

The selection of the remedial action for the Site will be made by the EPA and documented in the Record of Decision. The selection will be based on EPA's consideration of the nine Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") criteria, including overall protection of human health and the environment; compliance with applicable or relevant and appropriate standards; long-term effectiveness and permanence; reduction of toxicity, mobility or volume; short-term effectiveness; implementability; cost; state acceptance; and community acceptance. The EPA also makes the remedy decision in consultation with the Texas Commission on Environmental Quality ("TCEQ") and the Natural Resource Trustees, and in consideration of public comments received on the proposed remedial action.

The San Jacinto Site cleanup alternatives include several containment alternatives and several removal alternatives. In general, the removal alternatives would result in the greatest long-term reliability and protectiveness because the material would be removed from the San Jacinto River. However, the removal alternatives would also result in increased short-term risks because the waste material would be exposed to storm scour and erosion during the construction time of approximately 16 months (for Alternative 6N), and the dredging/excavation process would result in re-suspension and spreading of a small portion of the contaminated material. Best management practices would be used to minimize this release, however, it may still occur to some extent. For example, fish tissue concentrations typically increase for a time following environmental dredging projects. The EPA will carefully weigh these factors as part of the consideration of the nine CERCLA remedy selection criteria in selecting the final remedy for the Site.

The U.S. Army Corps is performing a study of the San Jacinto River and the River's potential impacts on the cleanup alternatives for the site. The Corps' Draft Final Evaluation on Remedial Alternatives report was submitted to the site stakeholders for review and comment. As a result of these reviews, the Corps of Engineers is revising the report to respond to those comments, including the effects of potential vessel collisions and major hurricanes, among other things. The draft report did identify a number of uncertainties, and it is likely that uncertainties will remain in the final report. The EPA will consider these uncertainties as it evaluates the remedial alternatives based on the nine CERCLA criteria.

Thank you for your comments regarding the use of use of monitoring for the full removal alternative to optimize the outcome. The EPA agrees that monitoring and best management practices should be used during any construction to reduce the release of dioxins, and that monitoring should be included to obtain the best results achievable.

We appreciate your interest in the Site, and EPA will take your comments, as well as the other comments from the community, under consideration as it selects the final remedial action for the site.

Sincerely,

John Meyer,  
Acting Associate Director,  
Remedial Branch (6SF-R)